

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

PERSONAL AUDIO, LLC,

§

Plaintiff,

§

Civil Action No. 9:09-CV-111

v.

§

APPLE, INC. *et al.*,

§

JUDGE RON CLARK

Defendants.

§

ORDER

Before the court are Plaintiff Personal Audio LLC's Unopposed Motions to Postpone Supplemental Infringement Contentions for Defendants Coby Electronics Corp., Archos, Inc., and Sirius XM Radio, Inc. [Docs. # 100, 101]. The current deadline for Personal Audio's supplemental contentions is April 15, 2010.

With respect to Coby and Archos, Personal Audio states that there are tentative settlement agreements in place for these two Defendants, and the parties are working to finalize the details. If the parties are unable to finalize the agreements, Personal Audio states that it will serve its Rule 3-1(g) supplemental contentions two business days after an impasse is reached, but not later than May 14, 2010. With respect to Sirius, Personal Audio states that it cannot serve its supplemental contentions until it receives certain source code identified for production. Because this source code is proprietary to a third party, Sirius cannot produce the source code until it has received permission to do so. Personal Audio requests an extension until May 14, 2010 to serve its supplemental contentions. The court is of the opinion that both motions should be granted.

IT IS THEREFORE ORDERED that Plaintiff Personal Audio LLC's Unopposed Motion to Postpone Supplemental Infringement Contentions for Defendants Coby Electronics Corp. and Archos, Inc. [Doc. # 100] is GRANTED. If the parties are unable to reach a final settlement agreement, Personal Audio shall serve its Rule 3-1(g) supplemental infringement contentions on the respective party two business days after the parties reach an impasse, but not later than May 14, 2010.

IT IS FURTHER ORDERED that Plaintiff Personal Audio's Unopposed Motion to Postpone Supplemental Infringement Contentions for Defendant Sirius XM Radio, Inc. is GRANTED. Personal Audio shall serve its Rule 3-1(g) supplemental infringement contentions on or before May 14, 2010.

So **ORDERED** and **SIGNED** this **16** day of **April, 2010**.



Ron Clark, United States District Judge